



General Assembly

February Session, 2010

***Raised Bill No. 243***

LCO No. 1350

\*01350\_\_\_\_\_LAB\*

Referred to Committee on Labor and Public Employees

Introduced by:  
(LAB)

***AN ACT CONCERNING UNEMPLOYMENT BENEFITS FOR THOSE  
PERSONS WHO BECOME DISABLED WHILE UNEMPLOYED.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-235 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) An unemployed individual shall be eligible to receive benefits  
4 with respect to any week only if it has been found that (1) such  
5 individual has made claim for benefits in accordance with the  
6 provisions of section 31-240 and has registered for work at the public  
7 employment bureau or other agency designated by the administrator  
8 within such time limits, with such frequency and in such manner as  
9 the administrator may prescribe, provided failure to comply with this  
10 condition may be excused by the administrator upon a showing of  
11 good cause therefor; (2) except as provided in subsection (b) of this  
12 section, such individual is physically and mentally able to work and is  
13 available for work and has been and is making reasonable efforts to  
14 obtain work, provided the individual shall not be considered to be  
15 unavailable for work solely because the individual is attending a  
16 school, college or university as a regularly enrolled student during the

17 separation from employment, within the limitations of subdivision (6)  
18 of subsection (a) of section 31-236, or the individual has become ill,  
19 injured or physically disabled, and provided further, the individual  
20 shall not be considered to be lacking in efforts to obtain work if, as a  
21 student, such efforts are restricted to employment which does not  
22 conflict with the individual's regular class hours as a student, and  
23 provided the administrator shall not use prior "patterns of  
24 unemployment" of the individual to determine whether the individual  
25 is available for work; (3) such individual has been paid wages by an  
26 employer who was subject to the provisions of this chapter during the  
27 base period of the current benefit year in an amount at least equal to  
28 forty times the individual's benefit rate for total unemployment,  
29 provided an unemployed individual who is sixty-two years of age or  
30 older and is involuntarily retired under a compulsory retirement  
31 policy or contract provision shall be eligible for benefits with respect to  
32 any week, notwithstanding subdivisions (1) and (2) of this subsection,  
33 if it is found by the administrator that the individual has made claim  
34 for benefits in accordance with the provisions of section 31-240, has  
35 registered for work at the public employment bureau, is physically and  
36 mentally able to work, is available for work, meets the requirements of  
37 this subdivision and has not refused suitable work to which the  
38 individual has been referred by the administrator; (4) such individual  
39 participates in reemployment services, such as job search assistance  
40 services, if the individual has been determined to be likely to exhaust  
41 regular benefits and need reemployment services pursuant to a  
42 profiling system established by the administrator unless the  
43 administrator determines that (A) the individual has completed such  
44 services, or (B) there is justifiable cause for the individual's failure to  
45 participate in such services. The administrator shall adopt regulations,  
46 in accordance with the provisions of chapter 54, for the administration  
47 of the profiling system. For purposes of subdivision (2) of this  
48 subsection, "patterns of unemployment" means regularly recurring  
49 periods of unemployment of the claimant in the years prior to filing  
50 the claim in question.

51 (b) The provisions of subdivision (2) of subsection (a) of this section  
 52 relating to the eligibility of students for benefits shall not be applicable  
 53 to any claimant who attended a school, college or university as a  
 54 regularly enrolled full-time student at any time during the two years  
 55 prior to such claimant's date of separation from employment, unless  
 56 such claimant was employed on a full-time basis, as determined by the  
 57 administrator, for the two years prior to such date.

58 (c) (1) Notwithstanding the provisions of subsection (a) or (b) of this  
 59 section, an unemployed individual may limit such individual's  
 60 availability for work to part-time employment, provided the  
 61 individual (A) provides documentation from a licensed physician that  
 62 (i) the individual has a physical or mental impairment that is chronic  
 63 or is expected to be long-term or permanent in nature, and (ii) the  
 64 individual is unable to work full-time because of such impairment, and  
 65 (B) establishes, to the satisfaction of the administrator, that such  
 66 limitation does not effectively remove such individual from the labor  
 67 force.

68 (2) In determining whether the individual has satisfied the  
 69 requirements of subparagraph (B) of subdivision (1) of this subsection,  
 70 the administrator shall consider the individual's work history, efforts  
 71 to find work, the hours such individual is medically permitted to work  
 72 and the individual's availability during such hours for work that is  
 73 suitable in light of the individual's impairment.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	31-235
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**Statement of Purpose:**

To maintain unemployment benefits to individuals who become injured while collecting said benefits.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*